

Notice of Allowability

Application No.

09/591,746

Examiner

Khanh Dinh

Applicant(s)

YU ET AL.

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 5/2/2005.
2. ☒ The allowed claim(s) is/are 15-29.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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A.U. 2151

EXAMINER'S AMENDMENT

1. This is in response to the Amendment after Final filed on 5/2/2005. Claims 1-14 are canceled. Claims 15-29 are presented for examination.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Diane Dunn McKay (the Undersigned Attorney, Reg. No.34,586) on 5/31/2005.

The application has been amended as follows:

IN THE CLAIMS:

In claim 15 (page 2 of the claims, line 25), please **delete** "*determining said average response delay*", **insert** "determining an average response delay".

In claim 16 (page 2 of the claims, line 5), please **delete** "*a plurality of*".

In claim 17 (page 2 of the claims, line 13), please **delete** "*traffic*", **insert** "to documents".

In claim 18, (page 3 of the claims, line 19, word 7), please **delete** the numerical value "(3)".

In claim 18, (page 3 of the claims, line 21 word 3), please **delete** "*the*", **insert** "an".

In claim 20, (page 4 of the claims, line 1, word 11), please **delete** "*the*", **insert** "a".

In claim 20, (page 4 of the claims, line 3, word 10), please **delete** "*the*", **insert** "a".

In claim 23, (page 4 of the claims, line 19), please **delete** "*of said desired*", **insert** "of a desired".

In claim 25, (page 5 of the claims, lines 13 and 14), please **delete** "*from said state sequence estimation*", **insert** "from said state sequence estimation variable".

Allowable Subject Matter

3. Claims 15-29 allowed.
4. The following is a statement of reasons for the indication of allowable subject matter:

The above mention claims are allowable over the prior art of record does not appear to each or render obvious the claimed limitations in combination with the specific added limitations as recited in independent claims and subsequent dependent claims.

For independent claim 15, none of the cited prior art discloses a computer system comprising a combination of : determining access probability of access to said pull content from said stored data, determining an average hit rate for said pull content from said stored data, determining said average response delay for said pull content from said stored data determining average wired network access latency for said pull content from said access probability, said average hit rate and said average response

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delay, storing said pull content in said cache based on said determined average wired network access latency when there is no said pull content in said cache or said pull content has expired.

For independent claim 25, none of the cited prior art discloses a system comprising a proxy gateway connected by a first network to a plurality of mobile users and by a second network to at least one Web server comprising a combination of steps of: computing a first probability that the measured geo-location position and behavior is an actual position and behavior of each of mobile users, determining a state sequence estimation variable for each of said mobile users by iteration over time from a second probability that each of said mobile transit in a geo-location and behavior sequence and determining a current state for each of mobile users from said state sequence estimation variable.

Other prior art cited

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Hoyer et al, US pat. No.6,381,635: Method for displaying multiple performance measurements of a web site.

b. Lamberton et al, US pat. No.6,779,017: System for load balancing of client transactions in a Internet web site.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (571) 272-3939. The fax phone number for this group is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Khanh Dinh
Patent Examiner
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6/2/2005